

**CERTIFICATE OF MAILING UNDER 37 CFR § 1.8**

I hereby certify that this correspondence, and any attachment thereto, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450 on the date indicated below.

*Tammie B. McFarland*  
Tammie B. McFarland

*4-19-05*  
Date of Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Cooke et al.

Serial No.: 10/724,244

Filed: November 26, 2003

Title: PRETERMINATED FIBER OPTIC  
DISTRIBUTION CABLE



Art Unit: 2839

Examiner: Le, Thanh

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants bring to the attention of the Examiner the document(s) listed on the attached PTO 1449. This Information Disclosure Statement is being filed:

☐ Under 1.97(b) after the filing date of the application, but, to the best of Applicants' knowledge:

☐ within three (3) months of the filing date of the National application, which is not a continued prosecution application (CPA) under § 1.53(d); OR

☐ within three (3) months of the date of entry of the National stage as set forth in §1.491 in an international application; OR

☐ before the mailing of a first Office Action on the merits; OR

☐ before the mailing of the first Office Action after the filing of a Request for Continued Examination (RCE) under § 1.114.

☒ Under 1.97(c) after the events recited above, but, to the best of Applicants' knowledge before the mailing date of any of a final action under § 1.113, a Notice of Allowance under

§ 1.311, or an action that otherwise closes prosecution in the application, and this submission is accompanied by:

- ☐ the statement specified in § 1.97(e); OR
- ☒ the fee set forth in § 1.17(p).
- ☐ Pursuant to 1.97(d) after the events recited above, but, to the best of Applicants' knowledge before payment of the issue fee, and this submission is accompanied by:

- ☐ the statement specified in § 1.97(e); AND
- ☐ the fee set forth in § 1.17(p).

STATEMENT SPECIFIED IN § 1.97(e)

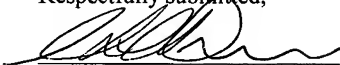
Pursuant to 1.97(e), Applicants hereby state and affirm that:

- ☐ each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this information disclosure statement; OR
- ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three (3) months prior to the filing of this information disclosure statement.

Pursuant to the waiver of the requirement under 37 CFR 1.98(a)(2)(i), no copies of U.S. patents and/or U.S. patent application publications are included herewith because the above-identified application was filed after June 30, 2003.

Applicants respectfully request that the Examiner consider the listed document(s) and indicate that they were considered by making appropriate notations on the attached form. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed document(s) are material or constitute "prior art." If the Examiner applies any of the document(s) as prior art against any claims in the application and Applicants determine that the cited document(s) do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document(s). Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document(s), should one or more of the document(s) be applied against the claims of the present application. If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 19-2167.

Respectfully submitted,



Christopher C. Dremann  
Attorney for Applicants  
Registration No. 36,504  
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Hickory, N. C. 28603  
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Facsimile: 828/901-5206

Date: 4/19/05

<b>FORM PTO-1449 U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>				<b>Attorney Docket Number:</b> HE0210		<b>Serial Number:</b> 10/724,244	
<b>LIST OF RELATED DOCUMENTS CITED BY APPLICANT</b> (Use several sheets if necessary)							
				Applicant: Cooke et al.			
				Filing Date: November 26, 2003		Group: 2839	
<b>U. S. PATENT DOCUMENTS</b>							
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	AB	6,466,725	10/15/02	Battey et al.	385	135	11/29/00
	AC	6,619,697	9/16/03	Griffioen et al.	285	126.1	12/27/00
	AD						
	AE						
	AF						
	AG						
<b>FOREIGN PATENT DOCUMENTS</b>							
		Document Number	Date	Country	Class	Subclass	Translation Yes   No
	AH	62-054204	3/9/87	Japan	G02B	6/24	Yes
	AI	3537684	4/23/87	Germany	G02B	6/24	Yes
	AJ	2001116968	4/27/01	Japan	G02B	6/44	Yes
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	AK						
	AL						
	AM						
<b>EXAMINER</b>							<b>DATE CONSIDERED</b>

\*EXAMINER Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

# FEE TRANSMITTAL for FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

APR 21 2005

Application Number	10/724,244
Filing Date	November 26, 2003
First Named Inventor	Cooke et al.
Examiner Name	Le, Thanh
Art Unit	2839
Attorney Docket No.	HE0210

## TOTAL AMOUNT OF PAYMENT

\$180.00

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other

☒ Deposit Account Deposit Account No. 19-2167

Deposit Account Name: Corning Cable Systems LLC

## The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

☒ Credit any overpayments

## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

FILING FEES				SEARCH FEES		EXAMINATION FEES		
Application Type	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)	
Utility	300	150	500	250	200	100	_____	
Design	200	100	100	50	130	65	_____	
Plant	200	100	300	150	160	80	_____	
Reissue	300	150	500	250	600	300	_____	
Provisional	200	100	0	0	0	0	_____	

### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
_____	_____	_____	_____	_____
- 20 or HP =	_____	x _____	= _____	Fee (\$)
				Fee Paid (\$)

HP=highest number of independent claims paid for, if greater than 3.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____
- 3 or HP =	_____	x _____	= _____

HP=highest number of independent claims paid for, if greater than 3

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250.00 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____
- 100 =	_____	/ 50	_____ (round up) x _____ =

### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Information Disclosure Statement

180.00

## SUBMITTED BY:

## Complete (if applicable)

Name (Print/Type)	Christopher C. Dremann	Registration No. (Attorney/Agent)	36,504	Telephone:	(828) 901-5904
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Signature



Date

4/19/05